JAN 0 9 2002
se type a burganiside this box → +

1646

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a variation of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a variation of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a variation of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a variation of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a variation unless it displays a vari

Application Number 09/756,687 TRANSMITTAL **Filing Date** 9 January 2001 **FORM First Named Inventor Patrick Mark CURRY Group Art Unit** 1646 (to be used for all correspondence after initial filing) **Examiner Name** To be Assigned Total Number Of Pages In This Submission Attorney Docket No. 273012011120 **ENCLOSURES** (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (orig. + dup.) (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) (2 pages) Appeals and Interferences Appeal Communication to Group Amendment / Reply (2 pages) Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition to Correct Inventorship Proprietary Information Petition to Convert to a Affidavits/declarations Status Letter Provisional Application Power of Attorney, Revocation Other Enclosure(s) (please identify Extension of Time Request Change of Correspondence Address below): Terminal Disclaimer 1. Submission of Substitute Combined Declaration and Power of Attorney (2 **Express Abandonment Request** Request for Refund 2. Combined Declaration and Power of Attorney (3 pages); Information Disclosure Statement (3 3. Return Postcard CD, Number of CD(s) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Firm Kawai Lau Registration No. 44,461 Individual Name Signature Date October 29 2001 CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed

Mestersh

to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 29, 2001.

Marian Christopher

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 29,2001.

Marian Christopher

orlala

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Patrick Mark CURRY et al.

Serial No.:

09/756,687

Filing Date:

9 January 2001

For:

IMMUNO-ADJUVANT PDT TREATMENT OF METASTATIC

TUMORS

Examiner: To be Assigned

Group Art Unit: 1646

SUBMISSION OF SUBSTITUTE COMBINED DECLARATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Enclosed for filing in the above patent application is a Substitute Combined Declaration and Power of Attorney for Utility Patent Application, consisting of three (3) pages and signed by all inventors. The Combined Declaration and Power of Attorney for Utility Patent Application filed in response to the Notice to File Missing Parts on July 26, 2001, inadvertently omitted the claim of benefit under 35 U.S.C. § 119(e) to U.S. Provisional Application 60/130,519, filed on April 23, 1999.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for

any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. <u>27301-20111.20</u>. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated:

October <u>-9</u>, 2001

By:

Kawai Lau

Registration No. 44,461

Morrison & Foerster LLP 3811 Valley Centre Drive

Suite 500

San Diego, California 92130-2332

Telephone: (858) 720-5178 Facsimile: (858) 720-5125